

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

THE STATE OF MISSOURI,)
ex rel. ERIC S. SCHMITT, in his official)
capacity as Missouri Attorney General,)
)
Plaintiff,)
)
v.)
)
THE PEOPLE'S REPUBLIC OF CHINA,)
THE COMMUNIST PARTY OF CHINA,)
NATIONAL HEALTH COMMISSION)
OF THE PEOPLE'S REPUBLIC OF)
CHINA, MINISTRY OF EMERGENCY)
MANAGEMENT OF THE PEOPLE'S)
REPUBLIC OF CHINA, MINISTER OF)
CIVIL AFFAIRS OF THE PEOPLE'S)
REPUBLIC OF CHINA, PEOPLE'S)
GOVERNMENT OF HUBEI)
PROVINCE, PEOPLE'S GOVERNMENT)
OF WUHAN CITY, WUHAN INSTITUTE)
OF VIROLOGY, AND CHINESE)
ACADEMY OF SCIENCES,)
)
Defendants.)

Case No.: 1:20-cv-00099-SNLJ

**MOTION OF LAWYERS FOR UPHOLDING INTERNATIONAL LAW FOR LEAVE
TO FILE SUPPLEMENTAL *AMICUS CURIAE* BRIEF IN OPPOSITION TO
PLAINTIFF THE STATE OF MISSOURI'S COMPLAINT AGAINST DEFENDANTS
THE PEOPLE'S REPUBLIC OF CHINA, ET AL.**

The Lawyers for Upholding International Law (hereinafter “Proposed *Amici*”) respectfully move this Court for leave to file the attached Supplemental *Amicus Curiae* Brief in Opposition to Plaintiff The State of Missouri’s Complaint against Defendants The People’s Republic of China, *et al.* As argued more fully in the Supplemental Brief, Proposed *Amici* respectfully request that this Court dismiss Plaintiff’s Complaint *sua sponte*.

Movants Professor Geert-Jan Alexander Knoops and Professor Tom Zwart previously filed a Motion for Leave to file their initial *Amicus Curiae* Brief and a corresponding Memorandum of Law in Support of the motion on September 25, 2020. *See* Doc. Nos. 15, 17. As described in greater detail in the Memorandum, Movants are international law scholars at various institutions and are leading experts in the field of international law, each with an extensive academic and professional background in their respective fields.

This Court granted Movants' Motion for Leave and accepted the *Amicus Curiae* Brief on November 30, 2020. *See* Doc. No. 16. Since then, Plaintiff The State of Missouri has moved for an entry of default against Defendants the Communist Party of China, the Chinese Academy of Sciences, and the Wuhan Institute of Virology. *See* Doc. No. 26. Given the Plaintiff's filings since the initial *Amicus Curiae* Brief was filed, Movants now seek to supplement their *Amicus Curiae* Brief to provide the Court with additional analysis to further explain points made in the original brief and respond to new claims made by Plaintiff.

The analysis contained in the Supplemental Brief explains and clarifies the several reasons based on international law that this Court could and should consider in dismissing Plaintiff's Complaint *sua sponte*. Moreover, this Supplemental Brief is timely in that it provides arguments for the Court to consider in regard to Plaintiff's recent request for default judgment against half of the Defendants.

For these reasons, The Lawyers for Upholding International Law respectfully request that this Court grant this Motion for Leave to File the attached supplemental *amicus curiae* brief.

Dated: January 4, 2022.

Respectfully submitted,

THE SIMON LAW FIRM, P.C.

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Lawyers for Upholding International Law

CERTIFICATE OF SERVICE

I certify that on this day, I filed the foregoing **Motion for Leave to File the Supplemental Amicus Curiae Brief of Group of Experts in International Law in Opposition to Plaintiff The State of Missouri's Complaint against Defendants The People's Republic of China, et al.** with the clerk's office via the CM/ECF system, which will send notification of filing to the following counsel of record:

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